

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

B.M. and T.M., *on behalf of their minor child*,

Plaintiffs,

-v-

PLEASANTVILLE UNION FREE SCHOOL
DISTRICT,

Defendant.

20-CV-2192 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

When resolving a summary judgment motion in a case brought pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.*, this Court “must engage in an independent review of the administrative record and make a determination based on a preponderance of the evidence.” *M.H. v. N.Y.C. Dep’t of Educ.*, 685 F.3d 217, 240 (2d Cir. 2012) (citation and internal quotation marks omitted). Here, although Plaintiffs have attached to their Complaint both the final decision of the New York State Review Officer and the previous decision by the Independent Hearing Officer, (*see* Compl. Exs. 1–2 (Dkt. No. 1)), neither Party has provided the Court with the underlying administrative record on which these decisions were based. The Parties are therefore instructed to provide the Court with the complete administrative record no later than Friday, April 23, 2021.

SO ORDERED.

DATED: April 14, 2021
White Plains, New York



KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE